

REMARKS

Claims 1, 3-7, 11, 13-17 and 21-34 are pending in the present application. Claims 2, 8-10 and 12 are cancelled. Claims 1 and 11 are amended. Claims 3-7, 13-17 and 21-34 remain in the application unchanged. No new matter has been added.

All pending claims stand rejected under 35 U.S.C. § 103(a).

Reconsideration of the present application is respectfully requested in view of the above amendments and following remarks.

Rejections Under 35 U.S.C. § 103

Claims 1, 3-7, 11, 13-17 and 21-34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Roses* (US2003/0055871) in view of *Noda* (US2002/0030634) and *Haeberli* (US 6,587,596).

Applicant's amended claim 1 recites:

A computer-implemented method for facilitating user customization of the image content of an image container in an electronic product design, the method comprising

displaying an electronic product design to a user, the product design containing at least one user-customizable image container, the image container having image content displayed to the user, the displayed image content of the image container being a portion of a base image;

while the product design is being displayed to the user, allowing the user to select the image container in the product design for customization of the portion of the base image to be displayed as the image content of the image container, and

while the product design is being displayed to the user and the image container is selected, allowing the user to activate a cropping tool for the selected image container, the cropping tool upon activation displaying to the user both

the entire base image and

a cropping indicator positioned to indicate to the user the portion of the base image that is the current displayed image content of the selected image container in the displayed product design.

Roses discloses a document/poster composition and printing system (title) in which users select images from different websites to be combined with text and templates to generate a document. A document composition application provides

templates that a user can select from and use to generate a document. The resultant document may then be purchased over the Internet, printed and delivered. (Roses, Abstract). In particular, Roses' FIG. 6 illustrates a web page 600 for selecting images to be incorporated into a selected template. The web page 600 includes a preview 602 that includes the selected template with images and text. The web page 600 also includes an image placement area 606 that facilitates placement of an image selected using an image selection area 608. The image selection area 608 includes navigation buttons 609 and a displayed image 611. The navigation buttons 609 allow the user to navigate through images in an image basket. When an image is selected, the user can select attributes of the selected image in the attributes area 612. Attributes which may be set are scaling, cropping, image filtering, etc.). Importantly, however, the only cropping option is the "crop and scale to fit" radio button which can only be selected or deselected - the user has no input or control over how the cropping is performed. When the attributes are set, a "Place Image" button 613 may be pressed to place the selected image with selected attributes in the position selected in the image placement area 606. (Roses, page 3-4, paragraph [0043]).

Roses does not teach all of the features of Applicant's claim 1. In particular, Roses does not teach or suggest "while the product design is being displayed to the user, allowing the user to select the image container in the product design for **customization of the portion of the base image** to be displayed as the image content of the image container". Roses' FIG. 6 shows a web page 600 having a preview area 602 that displays a preview image of the selected template with images and text. However, no image content is displayed in the preview area until the user actually selects an image from image selection area 608 and presses the "Place Image" button. Once the user selects an image 611 and presses the "Place Image" button 613, and then presses the "Preview" button 604, the image (with cropping attributes applied, if selected) is displayed within the selected template in the preview area 602. However, Roses does not provide any facilities for "**customization of the portion of the base image** to be displayed as the image content of the image container". Roses discloses only one crop option: "crop and scale to fit". If the user selects the "crop and scale to fit" attribute, the document

composition application 206 apparently performs the cropping automatically with no input from the user as to the positioning of the cropping relative the base image.

Roses also does not teach or suggest “**while the product design is being displayed to the user and the image container is selected**, allowing the user to **activate a cropping tool for the selected image container**, the cropping tool **upon activation** displaying to the user **both the entire base image and a cropping indicator positioned to indicate to the user the portion of the base image that is the current displayed image content of the selected image container** in the displayed product design.” Again, Roses does not teach a cropping tool which, upon activation by the user, displays both the base image and any indicator that indicates the portion of the base image that is the current displayed image content of the selected image container. In fact, Roses does not even display a cropping indicator at all because the cropping is performed automatically by the document composition application 206.

Noda discloses an image synthesizing apparatus for producing a synthetic image that consists of a background image and at least a main image superimposed on the background image. An input image 46 is displayed in a main display area 37, whereas an outer frame 47a and at least an inner frame 47b are displayed in a first sub display area 38 in accordance with a selected template. First a crop boundary 84 having a similar shape to the outer frame 47a is displayed on the image 46 in the main display area 37. The crop boundary 84 is movable on the image 46 and changeable in size. After pasting 56 a cropped area of the image 46 as the background image in the outer frame 47a, a second image 88 is selected and displayed in the main display area 37. Then, a crop boundary 84 having a similar shape to the inner frame 47b is displayed on the second image 88, so a cropped area of the second image is pasted 56 in the inner frame 47b, to be printed as the main image. (*Noda*, Abstract).

Noda does not make up for the deficiencies of *Roses*. In particular, *Noda* does not teach or suggest “**while the product design is being displayed to the user**, allowing the user **to select the image container in the product design for customization of the portion of the base image** to be displayed as the image content of the image container”. *Noda*’s FIGS. 3-6, 11, 13, and 16-17 illustrate a

control screen having a first sub display area 38, which is a print preview area for displaying an image simulating a printed condition in a reduced size. First sub display area 38 is the only area that displays the entire product design. However, although the user can select either the outer frame 47a or inner frame 47b, selection of the frame 47a or 47b merely determines which portion of the synthesized image shown in first sub area 47 that any changes made in the main display area 37 will be pasted (upon selecting the paste button 56). Alternatively, using the 1st display interchange button 52, the user can interchange the content of the selected frame 47a, 47b to the main display area 38. However, as shown in FIG. 14 of Noda, when the content is interchanged from the first sub display area 38 to the main display area 38, the user can no longer adjust the cropping of the content without reloading the image from the second sub display area 39 and starting an entirely new crop. Thus, Noda is not configured for **“allowing the user to select the image container in the product design for customization of the portion of the base image to be displayed as the image content of the image container”**.

Noda also does not teach or suggest **“while the product design is being displayed to the user and the image container is selected, allowing the user to activate a cropping tool for the selected image container, the cropping tool upon activation displaying to the user both the entire base image and a cropping indicator positioned to indicate to the user the portion of the base image that is the current displayed image content of the selected image container in the displayed product design.”** Supposing that the preview image in first display area were to be considered displaying the product design to the user and selection of the frame were to be considered selecting an image container, Noda still does not teach this limitation also presupposes Applicant’s earlier limitation of **“displaying an electronic product design to a user, the product design containing at least one user-customizable image container, the image container having image content displayed to the user, the displayed image content of the image container being a portion of a base image”**. In Noda, once an image is pasted into one or the other of the outer frame 47a or inner frame 47b, it cannot be re-cropped. Thus, when the preview image is displayed in the first sub display area 38, any content previously pasted therein cannot then be brought out into the

main display area 37 such that its underlying entire base image is shown again to the user. Only the cropped image can ever be shown to the user once it has been cropped and pasted into its corresponding frame 47a, 47b in the first sub display area 38.

Haeberli discloses a system allowing a user to process uploaded photographs and incorporate the processed photographs into a product design containing one or more images. *Haeberli*, as shown in the upper left region of Figs. 6a and 6b, 9a and 9b, 12a and 12b, and 17a and 17b, provides a user interface and user-selectable tools to allow the user to control various attributes of the images, such as image rotation, cropping, effects, and borders. Figs. 9a and 9b depict a cropping indicator (904) that can be positioned by the user over a base image (906) to identify a desired area for cropping.

The operation of the *Haeberli* cropping system is described at col. 13, line 65 to col. 14, line 24. The *Haeberli* user first opens the cropping interface, apparently by clicking on the "Crop" button available on various user interface displays (see upper left region in Fig. 6a, for example). The user then selects one of the buttons 912 to choose a crop shape 904, which is placed at an initial default location (see default placement of 904 in Fig. 9a), and resizes and/or repositions the selected crop shape 904 using crop controls 916, 918 and 920 until the crop shape 904 is sized and positioned over the desired portion of the image 906 (for example, as shown in Fig. 9b). When the cropping operation is completed, the user will exit the cropping interface shown in Figs. 9a and 9b and can continue to perform other product preparation operations.

If the *Haeberli* user desires to **modify** the cropping of the image content of an image container in a product design, *Haeberli* provides no specific teaching regarding how this operation might be accomplished other than by the user activating the user interface shown in Fig. 9a and starting the cropping process all over again by again performing the actions described at col. 13, line 65 to col. 14, line 24. *Haeberli* discloses retaining a description of the cropped portion of the image selected by the user, but this retained information is described as being used for the purpose of creating preview images of a product or creating the product itself (see Fig. 21 and col. 21, lines 6-18). *Haeberli* does not teach that the saved

cropping information might be employed to respond to a custom cropping request from a user to display a cropping indicator positioned to indicate to the user the portion of the base image that is the current content of the image container.

Haeberli does not make up for the deficiencies of Roses and Noda in meeting Applicant's claim 1. In particular, Haeberli does not disclose "displaying an electronic product design to a user, the product design containing at least one user-customizable image container, the image container having image content displayed to the user, the displayed image content of the image container being a **portion** of a base image". In Haeberli, there is only an image - not a product design. Even if the image itself were to be considered a product design the image content displayed to the user is the **entire** base image and not a **portion** of the base image.

Haeberli does not teach or suggest "while the product design is being displayed to the user, allowing the user to **select the image container in the product design for customization of the portion of the base image** to be displayed as the image content of the image container". Haeberli only allows an entire image to be cropped. Haeberli does not teach or suggest the cropping of an image within a larger product design. Thus, Haeberli is not configured for "allowing the user to **select the image container in the product design for customization of the portion of the base image** to be displayed as the image content of the image container".

Haeberli also does not teach or suggest "while the product design is being displayed to the user and the image container is selected, allowing the user to **activate a cropping tool for the selected image container, the cropping tool upon activation displaying to the user both the entire base image and a cropping indicator positioned to indicate to the user the portion of the base image that is the current displayed image content of the selected image container** in the displayed product design." Again, Haeberli does not show a "product design", but even if the single image 906 in FIGS. 9a and 9b were to be considered a product design having a single image container, the contents of the image container comprise the **entire** base image and not a **portion** of the base image.

In summary, Roses, Noda, and Haeberli, viewed either alone or in combination, do not disclose or suggest Applicant's claimed method as recited in Applicant's claim 1.

Therefore, because Liskov does not teach or suggest the emphasized claim language, it cannot possibly teach the recited combination. Accordingly, claim 8 and the claims depending therefrom are neither anticipated nor rendered obvious over the Liskov. Claims 1 and 16 and the claims depending therefrom are neither anticipated for similar reasons.

Applicant notes that each of the claims recites additional language from that discussed above and which further defines from Liskov. For example, claim 16 recites the following language not taught by Liskov:

for each given extent in the data stream,
computing a corresponding fingerprint over all of the
ordered extents up to and including the given extent
in the data stream;
determining whether any of the computed
fingerprints match a stored fingerprint associated
with a previously computed result stored in a storage
device;
if so, then **identifying the highest ordered
extent j for which a fingerprint match exists,
performing a computation of a function on the
ordered list of extents subsequent to the first j
extents in the data stream to generate a first
result**, combining the first result with the previously
computed result to generate a combined result; and
if not, then performing the computation of the
function on the data stream to generate a second
result.

Liskov does not teach the emphasized claim language and for this additional reason patentably defines over Liskov.

Claims 1 through 7 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Liskov and Van Ingen. Van Ingen qualifies as prior art under 102(e). Van Ingen, on its face, identifies that it is assigned to Microsoft Corporation. The present application is likewise assigned to Microsoft

Corporation. Under 35 U.S.C. § 103(c), a reference that qualifies as prior art under 102(e) **cannot be combined in a rejection under § 103(c) against an application that is assigned to the same entity.** Accordingly, it is respectfully requested that the rejection under § 103(a) of claims 1 through 7 be withdrawn for this additional reason.

Claim 20 stands rejected under 35 U.S.C. § 35 U.S.C. § 103(a) as allegedly being unpatentable over Liskov in view of Wittkotter et al. (U.S. Patent Publication No. US 2007/0124282) (hereinafter "Wittkotter"). Wittkotter discloses a device and method for requesting, querying, provisioning, supplying, managing and assigning additional data for a video that consists of a plurality of video frames. As described in Wittkotter, paragraphs [0007] and [0019], the additional data, in particular content-related additional data related to videos, are description data or metadata which are either contained within the video data or stored in parallel to a video in a file or within a database as a data record. However, the additional data is not actual video data like the original data. As explained in paragraph [0024] of Wittkotter, the purpose of the apparatus and method is for the assignment, query, request, providing, management and assignment of additional data to a video that consists of a plurality of video frames, in which by means of additional data or terms the corresponding link data, users of videos can receive content- or term related link data to *further information*, in particular to web information. Thus, the additional data referred to in Wittkotter is not part of a data stream comprising extents of the original video data; rather the additional data is description data such as metadata which provides information about the associated video data (e.g., description data for particular scenes of a movie).

Furthermore, Wittkotter does not teach or suggest the limitations missing from the Liskov reference, including **"computes a unique data stream fingerprint over the data stream, receives at least one additional extent, and performs the computation of the function on the at least one additional extent to generate a second result, and computes a corresponding extent fingerprint over the data stream and the at least one additional extent; a storage device that stores the first result, the data stream fingerprint, the at least one additional**

extent, and the corresponding **extent fingerprint**; and a combiner that **combines the second result and a portion of the first result corresponding to an unchanged portion of the data stream to generate a combined result representing a computation of the function over the data stream and at least one additional extent**. Accordingly, it is respectfully requested that the rejection under § 103(a) of claim 20 be withdrawn for this additional reason.”

Because the references do not teach the recited claim language, the references cannot possibly be said to teach or suggest the combinations as recited in independent claims 1, 8 and 16, nor of their corresponding dependent claims. Reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) is respectfully requested.


CONCLUSION

The Applicant therefore respectfully requests reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejections of claims 1-20.

The Examiner is invited to call the undersigned in the event that a telephone interview may assist in the advancement of the prosecution of this application.

Respectfully Submitted,

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